

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:12-CR-40075-001-JPG
)	
JAMES JOHNSON,)	
)	
Defendant.)	
)	

MEMORANDUM AND ORDER

GILBERT, District Judge:

This matter comes before the Court on the Government's motion (Doc. 58) pursuant to 18 U.S.C. §§ 3613(a) and 3664(n) requesting the Court to enter an Order authorizing the Bureau of Prisons to turn over to the Clerk of Court funds held in the inmate trust account for the above-mentioned Defendant as payment for the criminal monetary penalty imposed in this case. As set forth in the government's motion, the Bureau of Prisons maintains in its possession, custody, or control \$1,649.18 in encumbered funds belonging to the defendant that are currently in the defendant's trust account.

The Government filed its motion on November 9, 2022 and the Defendant has not responded. Under SDIL-LR 7.1(c), the Court treats this failure to timely respond as an admission of the merits of the Government's motion.

At this time, there is no reason to conclude that the Bureau of Prisons has done anything with said funds and for the reasons stated in the motion, the Court concludes that cause exists to grant the motion, and, therefore, it is hereby ORDERED that the Motion of United States of America to Authorize Payment from Inmate Trust Account GRANTED; and it is further

ORDERED that the Bureau of Prisons is authorized to turn over to the Clerk of Court, and the Clerk of Court shall accept fund currently held in the trust account for the following inmate:

James Johnson
Reg. No. 09824-025
USP Terre Haute
P.O. Box 33
Terre Haute, IN 47802

The Clerk shall apply these funds as payment towards the criminal monetary penalties owed by the Defendant in this case.

Payments are to be made payable to the Clerk of the District Court, 750 Missouri Avenue, East St. Louis, Illinois 62201. The Plaintiff is to provide a copy of this Order to the Federal Bureau of Prisons.

IT IS SO ORDERED.

Dated: December 12, 2022

/s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE